

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FRANCISCO VIDAL,
Plaintiff,

v.

PUBLIC DEFENDERS OFFICE,
PATERSON-SMITH, P.D., DARIN F.
IMLAY, P.D.,
Defendants.

Case No. 2:23-cv-01781-RFB-EJY

ORDER

On November 1, 2023, Plaintiff, an inmate in the custody of Clark County Detention Center, submitted a Civil Rights Complaint under 42 U.S.C. § 1983 (ECF No. 1-1). Plaintiff neither paid the \$402 filing fee for a civil action nor filed an application to proceed *in forma pauperis*. If Plaintiff wants to proceed without paying the filing fee he may do so by under 28 U.S.C. § 1915(a) and Local Rule LSR 1-2. To apply for *in forma pauperis* status Plaintiff must submit **three** required documents to the Court. These include: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, on this Court's approved form (*i.e.* pages 1 through 3 with the inmate's two signatures on page 3), (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official (*i.e.* page 4 of this Court's approved form), and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

Accordingly, IT IS HEREBY ORDERED that on or before **January 3, 2024**, Plaintiff must either pay the \$402 filing fee for a civil action or file: (1) a complete **Application to Proceed in Forma Pauperis for Inmate** on the Court's approved form; (2) a **Financial Certificate** properly signed by both the inmate and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund account statement for the previous six-month period**.

IT IS FURTHER ORDERED that failure to either pay the \$402 filing fee or file a complete application to proceed *in forma pauperis* on or before **January 3, 2024**, will result in a recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his case with the Court, under a new case number, when he is able to comply with

1 LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

2 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint (ECF No. 1-1),
3 but will not file it at this time.

4 IT IS FURTHER ORDERED that the Clerk of the Court **must** send Plaintiff the approved
5 form application to proceed *in forma pauperis* for inmate along with the information and instructions
6 for filing the same.

7 DATED this 3rd day of November, 2023.

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10 ELAYNA J. YOUCHAH
11 UNITED STATES MAGISTRATE JUDGE
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